

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
UNITED STATES COURTHOUSE  
500 PEARL STREET  
NEW YORK, NEW YORK 10007-1581  
(212) 805-6325

CHAMBERS OF  
COLLEEN McMAHON  
UNITED STATES DISTRICT JUDGE

USDC SDNY  
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TO ALL COUNSEL IN: Small Business Body Guard Inc., v. House pf Moxie, Inc., et al.

(14 Civ. 7170) (CM)

FROM: Judge McMahon

*CM*

RE: Temporary Restraining Order (TRO)

DATE: March 16, 2015

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Counsel:

I have received today -- in the United States Mail -- an application from plaintiff SBBI for an ex parte temporary restraining order and a motion for a preliminary injunction. Such an application should have been presented in person on the day it was filed on ECF (which, I gather, was last Friday -- but of course I would not receive notice of such filing until today).

I will not enter an ex parte temporary restraining order in this matter, in which both sides are represented and actively litigating (or so I assume). I will hear the TRO application on notice tomorrow, March 17, at 2:00 PM, in Courtroom 17C, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street. I remind counsel that tomorrow is St. Patrick's Day, which means traffic will be snarled. Please plan ahead accordingly.

The hearing on the motion for a preliminary injunction will be scheduled at the conference. I have another TRO/preliminary injunction case that arrived two days ahead of yours. There are religious holidays at the end of the week of March 30, so the hearing will have to be held ahead of those.

Expedited discovery will also be ordered at tomorrow's hearing. House of Moxie should pretty much expect to have to dump its files to produce all evidence (including email evidence) of all its business activities for the last six months by next Monday, March 23. Counsel for defendant had better get to work.